THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No. 19806 of 2007

Dated: 29.10.2007

Between:

Paleti Hanumantha Rao

... Petitioner

AND

The Revenue Divisional Officer,
Eluru and competent authority for
Land Acquisition, K.80/000 to 152.000
National High Way No.5,
West Godavari District.

... Respondent

Counsel for the petitioner : Sri T. Durga Prasad

Counsel for the respondent : Assistant Government Pleader for Land Acquisition

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WRIT PETITION No. 19806 of 2007

ORDER:-

This writ petition is filed for a writ of mandamus to direct the respondent to furnish to the petitioner at his expense certified copies of the documents mentioned in Copy Application dated 25.07.2007 filed before him.

An extent of Ac.1.82 cents of land belonging to the petitioner situated in Kunchanapalli Village, Tadepalligudem Mandal, West Godavari District, and another extent of Ac.2.99 cents of land situated in the same village belonging to the petitioner's mother were acquired for road widening in connection with National Highway No.5 between Vijayawada and Visakhapatnam. The arbitration proceedings initiated at the instance of the petitioner ended in passing of an award on 29.09.2005. Aggrieved by the said order, the petitioner filed O.P.Nos.765 and 767 of 2006 in the Court of Principal District Judge, West Godavari, Eluru, under Section 34 of the Arbitration and Conciliation Act, 1996 and the said O.Ps. were partly allowed by enhancing the market value of the property to Rs.1,25,000/- from 1,20,000/- per acre apart from the other statutory benefits. The petitioner filed two civil miscellaneous appeals in this Court partly aggrieved by the order of the civil Court in the said O.Ps. and seeking further enhancement of the market value. In

connection with the said appeals the petitioner was advised by his counsel to secure certified copies of the awards relating to fixation of market value for the lands of Tadepalligudem and Prathipadu Villages to be filed as additional evidence in the appeals. Therefore, the petitioner sent a copy application through registered post on 25.07.2007 to the respondent.

The grievance of the petitioner is that though sufficient time has elapsed from the date of making his application, so far, the respondent has not supplied the copies or passed any order.

Learned Assistant Government Pleader for Land Acquisition says that the respondent has no objection for supply of the certified copies sought for by the petitioner and if a direction to that effect is given to the respondent, he will supply the certified copies to the petitioner.

In view of the facts mentioned hereinabove, the writ petition is disposed of with a direction to the respondent to dispose of the copy application filed by the petitioner within a period of one week from the date of receipt of a copy of this order. If the documents in respect of which the application is made are available with the respondent, he shall furnish certified copies thereof within the aforementioned time.

With the above observation, the writ petition is disposed of.

As a sequel to disposal of the writ petition, WPMP.No.25530 of 2007 filed by the petitioner for interim relief is disposed of as infructuous.

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C.V. NAGARJUNA REDDY, J

Date: 29.10.2007

Note: Issue CC in three days.
B/o.
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